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March 23, 2004 LB 1005, 1159

its original form, was LB 1159. LB 1159 was introduced on January 22, 2004, and had a public hearing in front of the Health and Human Services Committee on February 6. It was advanced to General File by a vote of 6 to 0. Four proponents testified in favor of the bill and there was no opponent testimony. AM3173 includes the committee amendment to LB 1159 which relates to dental faculty licensing, providing for recognition of a Canadian license as valid for obtaining a faculty license to teach dentistry here in the United States, or here in the state of Nebraska. The underlying purpose of LB 1159 is to protect dental patients from dentistry that is contrary to the standards of acceptable and prevailing practice of the dental profession. Traditionally, dental care in the state of Nebraska has been provided by solo practitioners in small offices of two or three dentists. But despite the history of the profession, dental care has become increasingly corporate. We're beginning to see more and more "employee" dentists practicing under a corporate structure or with comprehensive management agreements. This bill would act as a shield to protect Nebraska's licensed dentists from attempts to interfere with their professional judgment. A similar law exists in statute with regard to pharmacists. Nebraska Revised Statute 71-1,147 makes it unlawful to coerce or attempt to coerce a pharmacist to enter into a dispensing agreement or to supervise any pharmacy technician for any purpose or in any manner contrary to the professional judgment of the pharmacist. AM3173 would operate much the same way as Section 71-147 (sic). It would protect the employee dentist from coercion or attempted coercion by supervising healthcare licensees or others outside the healthcare profession. In doing so, it would subject those who coerce or attempt to coerce a licensed dentist to practice in a manner contrary to the standards of acceptable practice to claims of professional misconduct or a Class III misdemeanor. In short, the business aspects of the practice of dentistry should not attempt to override its professional aspects. This amendment helps the dental industry avoid this possibility. Thank you, Senator Cudaback.

SENATOR CUDABACK: Thank you, Senator Synowiecki. You've heard the opening on AM3173 by Senator Synowiecki. Open for discussion on that motion. Senator Synowiecki, there are no